

**Filed 6/6/02 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2002 ND 99

Matrix Properties Corporation,

Plaintiff and Appellee

v.

JCG Investments, L.L.C.; Anderson
and Grettum Investments; R. Allan
Rostad; Thomas Richards; and all
other persons unknown claiming any
estate or interest in, or lien or
encumbrance upon, the property
described in the Complaint,

Defendants

Carol A. Grettum, TAG Investments,
and Jonathan T. Garaas,

Appellants

No. 20020011

Appeal from the District Court of Cass County, East Central Judicial District,
the Honorable Cynthia Rothe-Seeger, Judge.

AFFIRMED.

Per Curiam.

Sidney J. Spaeth, Vogel, Weir, Hunke & McCormick, Ltd., P.O. Box 1389,
Fargo, N.D. 58107-1389, for plaintiff and appellee.

Jonathan T. Garaas, Garaas Law Firm, DeMores Office Park, 1314 23rd Street
South, Fargo, N.D. 58103-3796, for appellants.

Matrix Properties Corp. v. JCG Investments, L.L.C.

No. 20020011

Per Curiam.

[¶1] TAG Investments, Carol Grettum, and Jonathan T. Garaas appeal from a judgment quieting title to certain real property and ordering TAG and Garaas to pay costs and attorneys fees, and from an order denying a motion to alter, amend, or vacate the judgment. We affirm under N.D.R.App.P. 35.1(a)(1). We specifically note that under the facts of this case TAG and Grettum have no vendor's lien on the subject real property.

[¶2] We conclude that the appeal is frivolous. We, therefore, order under N.D.R.App.P. 38 and 39 that Matrix is entitled to double costs in the amount of \$150 and is entitled to attorney fees in the amount of \$5,000, for a total of \$5,150 for this appeal.

[¶3] Gerald W. VandeWalle, C.J.
Mary Muehlen Maring
William A. Neumann
Dale V. Sandstrom
Donald L. Jorgensen, D.J.

[¶4] The Honorable Donald L. Jorgensen, D.J., sitting in place of Kapsner, J., disqualified.